

**Fire Safety Code Board  
Of Appeal and Review  
Hearing Minutes July 20, 2010**

**The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, August 31, 2010 at 1:00 P.M. Present were Vice Chairman Newbrook and Commissioners Blackburn, Jackson, Preiss, Jasparro, Dias and Pearson. Chairman Coutu and Commissioners Filippi, Walker and Richard were absent. Also present were Executive Director Thomas Coffey and Deputy Director Carol Marsella. The following cases were heard.**

**APPEAL #100103: Mr. Duarte Carriero, for the property located at 154-156 Warren Avenue, East Providence. Assistant Deputy State Fire Marshals Oscar Elmasian and James Bellamy appeared for the East Providence Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Jasparro made a motion, seconded by Commissioner Pearson, to deny the Applicant any further relief. The motion was unanimous.**

**APPEAL #070554A: Mr. Shawn Bohannon, for the property located at 312-318 Broadway, Newport. ADSFM Raymond Gomes appeared for the Newport Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Pearson, to grant the Applicant a time variance of thirty (30) days to submit a plan of action to the**

**Newport Fire Marshal's office for the correction of all outstanding deficiencies in this facility, and an additional 120 days in which to make the corrections. The Newport Fire Marshal's office is granted the authority to extend the above timelines for good faith efforts being shown by the Applicant. The motion was unanimous.**

**APPEAL #070295: Mr. Ken Yang, for the property located at 60 Rathbun Street in Woonsocket. ADSFM Michael Morin appeared for the Woonsocket Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioners Blackburn and Jackson, to grant the Applicant a time variance of thirty (30) days in which to submit a plan of action to the Woonsocket Fire Marshal's office for the correction of all outstanding deficiencies in this facility and an additional 120 days in which to implement that plan of action. The Woonsocket Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being shown by the applicant. The motion was unanimous.**

**APPEAL #050507A: Mr. Kenneth Townsend for the property located at 124 Providence Street in West Warwick. Assistant Deputy State Fire Marshals Perkins and Petrozzi appeared for the West Warwick Fire Marshal's office and Chief of Inspections Scott Caron appeared for the State Fire Marshal's office. Commissioner Preiss recused himself from consideration of this case. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to grant the following relief. The Applicant is directed to replace the cited**

handrails at the direction and to the satisfaction of the West Warwick Fire Marshal's office. The Applicant is granted a time variance in order to allow the egress systems, and the co-mingling of students, to continue for the remainder of the 2010-2011 school year. The Applicant has testified that at the end of that academic year, the West Warwick elementary schools will be re-districted to remedy the egress issue currently existing at the Horgan School. The motion was unanimous.

**APPEAL #060675, 100204, 10205:** Mr. Stephen Schneider, for the property located at 50 Murray Street, Coventry (Buildings 1, 2 and 3). DSFM Eric Kiernan appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Pearson, to direct the Applicant to provide a code compliant access to the regularly utilized basement spaces, and grant a variance to maintain those not regularly utilized in their current conditions. The motion was unanimous. Commissioner Dias made a motion, seconded by Commissioner Pearson, to grant the applicant a time variance of thirty days in which to present a plan of action for the correct any outstanding deficiencies to the State Fire Marshal's office and an additional 120 days in which to implement the plan of action. The State Fire Marshal's office is granted the authority to extend the above deadline for good faith efforts being made by the Applicant. The motion was unanimous.

**APPEAL #080338:** Ms. Rhonda M. Hiltz, for the property located at 37

**Freight Street in Pawtucket. ADSFM Steven Parent appeared for the Pawtucket Fire Marshal's office. Vice Chairman Newbrook recused himself from consideration of this case. Commissioner Jackson made a motion, seconded by Commissioner Jasparro, to grant the Applicant a variance, based on structural hardship, on the stair dimensions and a time variance of thirty (30) days to correct any outstanding deficiencies, at the direction and to the satisfaction of the Pawtucket Fire Marshal's office. The motion was unanimous.**

**APPEAL #100193: Mr. Bahianna Baez, for the property located at 106 Spring Street, Pawtucket. ADSFM Steven Parent appeared for the Pawtucket Fire Marshal's office. Commissioner Pearson made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty (30) days in which to submit a plan of action for the correction of all outstanding deficiencies to the Pawtucket Fire Marshal's office and an additional 120 days in which to implement that plan of action. The motion was unanimous.**

**APPEAL #100099: Mr. Victor LaPerche, for the property located at 900 Centerville Road in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Dias, to approve the Applicant's request to post the occupancy of this facility at 600 for the gym and 140 for the pool. The motion was unanimous.**

**APPEAL #100166: Mr. Edmund Landry, for the property located at**

**400 Bald Hill Road in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Jackson, to grant the Applicant's request of a time variance in order to install proper detection in the ceilings of this facility, work to be done as tenant leases expire, over the course of the next two to four years. The motion was unanimous.**

**APPEAL #100171: Mr. Khalid Khan, for the property located at 1893 Elmwood Avenue, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jackson, to grant the Applicant a time variance of thirty (30) days in which to present a plan of action to the Warwick Fire Marshal's office for the correction of all outstanding deficiencies and an additional 150 days in which to implement that plan of action. The Warwick Fire Marshal's office is granted the authority to extend the above time lines for good faith efforts being made by the Applicant. The motion was unanimous.**

**APPEAL #100187, 100188: Divine Investments, for the property located at 2911 Warwick Avenue, Warwick (Buildings 1 and 2). ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Jasparro made a motion, seconded by Commissioner Jackson, grant the Applicant a time variance of thirty (30) days in which to present a plan of action to the Warwick Fire Marshal's office for the correction of all outstanding deficiencies and an additional 150 days in which to implement that plan of action. The Warwick Fire**

**Marshal's office is granted the authority to extend the above time lines for good faith efforts being made by the Applicant. The motion was unanimous.**

**APPEAL #100192: Ms. Maureen Smith for the property located at 100 Pioneer Avenue, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Jasparro made a motion, seconded by Commissioner Dias, grant the Applicant a time variance of thirty (30) days in which to present a plan of action to the Warwick Fire Marshal's office for the correction of deficiencies 1, 2, 3, 4 and 7 of the Warwick Fire Marshal's July 8, 2010 inspection report and an additional 150 days in which to implement that plan of action. The applicant is directed to correct deficiency 6 prior to re-occupancy of this facility. The Warwick Fire Marshal's office is granted the authority to extend the above time lines for good faith efforts being made by the Applicant. The motion was unanimous.**

**Old Business: File #080099, for the property located at 299 Walcott Street in Pawtucket. Commissioner Dias made a motion, seconded by Commissioner Jackson, directing the Applicant to provide ten feet (10') clearance between the stacked lumber stored in the yard of his business and the residential properties abutting the lumber storage yard. The motion passed with Commissioner Blackburn in opposition.**

**Respectfully submitted**

**Carol Marsella**